

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CIVIL NO. 96-2443 (JAF)

RIO PIEDRAS EXPLOSION LITIGATION

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MOTION DOR DISBURSEMENT OF FUNDS

TO THE HONORABLE COURT:

COME NOW, Rosa María Cruz Andino, Tirsia Esther Cruz Andino, Jaqueline Cruz Andino, Jean Khrist Picorelli Cruz and Carmen E. Andino Ayala, as sole heirs of plaintiff Ramón Cruz Torres, through their undersigned attorney, and respectfully state and request as follows:

1. On February 1<sup>st</sup>, 2005, Hon. Magistrate-Judge Aida M. Delgado entered an order related to all checks-amounts unclaimed by plaintiffs to be consigned and deposited under control of the Clerk's Office, in an interest bearing account.

2. Plaintiff Ramón Cruz Torres, who was entitled to some of those funds, died on January 9, 2004 in Carolina, Puerto Rico.

3. By way of the Declaration of Heirship issued by the Court of First Instance of the Commonwealth of Puerto Rico, Carolina Part, the appearing individuals, Rosa María Cruz Andino, Tirsia Esther Cruz Andino, Jacqueline Cruz Andino, Jean Khrist Picorelli Cruz and Carmen Andino Ayala were declared the sole and universal heirs of the deceased plaintiff Ramón Cruz Torres. See attached copy of the Declaration of Heirship.

4. As stated in the Declaration of Heirship, the Court found that at the time of his death Mr. Cruz Torres had not executed a will. Therefore, as a matter of law, the appearing individuals,

as heirs, are entitled to any and all assets of the decedent, and that includes any and all funds presently deposited with this Court in his name.

5. The appearing individuals submit that they are entitled to receive all sums that may be deposited in this Court in the name of plaintiff Ramón Cruz Torres. For purposes of expediency and convenience of the parties, it is requested that such funds be disbursed in one single check in the name of the widow, Carmen Andino Ayala, who is the birth mother of heirs Rosa María Cruz Andino, Tirsia Esther Cruz Andino, Jacqueline Cruz Andino and is also the maternal grandmother of Jean Khris Picorelli Cruz.

6. The heirs of the plaintiff above mentioned hereby request the disbursement of the amounts deposited in favor of plaintiff Ramón Cruz Torres, plus any other interest, less registry fees.

WHEREFORE, the appearing individuals, heirs of the above mentioned plaintiff, respectfully request the disbursements of the funds deposited in his favor as stated above.

In San Juan, Puerto Rico, this 8th day of July, 2008.

I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to attorneys of record.

s/ Roberto Márquez  
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